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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,939	08/31/2001	Tammie Dang	SVL920010042US1/2168P	2261

29141	7590	07/29/2004	**EXAMINER**

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EXAMINER
TO, BAOQUOC N

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Advisory Action		09/944,939	DANG ET AL.
		Examiner	Art Unit
		Baoquoc N To	2172

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 May 2000 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☒ The period for reply expires <u>5</u> months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

    5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ ~~will not be entered or~~ b)☐ ~~will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended~~:

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-20*.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

ALFORD KINDRED
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: The applicant argues "applicant fails to see anything in the Jasuja reference that teaches or suggests the ability to provide attributes of a declared cursor in a standard SQL statemen and/or the ability to process the standard SQL statement to include the attributes in the declared cursor." The examiner has addressed these issues before with the col. 8, lines 54-67. In addition, col. 8, lines 42-53, Abuja also states, the attributes of the bind variable for a query are said to be associated with the cursor created to execute that query, as well as being associated with the instantiation object created for that cursor. It is clear that the attributes in the SQL are associated with the attributes, which created the cursor in order to execute the query. The applicant also argues "Applicants respectfully submit that even the pseudo SQL statements or pseudo PL/SQL statements of Table 3 of Jasuja for cursor creation offer no teaching or suggestion of dynamic changing of attributes of a declared cursor through an option provided in a standard SQL statement, as recited in independent claims 1, 8 and 15." The examiner respectfully disagrees with the above argument, because "dynamic changing of attributes of a declared cursor" is not what is being claimed and as same as dependent claims 2, 3, 9, 10 16 and 17 .